

Capital Reporting Company

1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

-----x
MICHAEL ESTRADA, individually
and on behalf of others
similarly situated,

Plaintiff,

vs.

CIVIL ACTION NO.: 12-604

MAGUIRE INSURANCE AGENCY, ECF CASE
INC.,

Defendant.

-----x
DATE: November 26, 2012

TIME: 9:56 a.m.

Deposition of:

MICHAEL ESTRADA

called for oral examination by counsel for
Defendant, pursuant to Notice, held at the
office of CONRAD, O'BRIEN, GELLMAN & ROHN, 1500 Market
Street, Centre Square, West Tower, Suite 3900,
Philadelphia, Pennsylvania, before CORINNE J. BLAIR, a
CRR, CCR, RPR, CLR, of Capital Reporting Company, and
a Notary Public of the Commonwealth of Pennsylvania.

Capital Reporting Company

			2				4
1	APPEARANCES						
2	On behalf of Plaintiff:						
3	ROBERT WILEY, P.C.						
4	1825 Market Center						
5	Boulevard #385						
6	Dallas, Texas 75207						
7	(214) 528-6500						
8	BY: ROBERT WILEY, ESQ.						
9	Email: rwiley@robwiley.com						
10	BY: JESSICA COHEN, ESQ.						
11	Email: jcohen@robwiley.com						
12	On behalf of Defendant:						
13	PROSKAUER ROSE, LLP						
14	Eleven Times Square						
15	New York, New York 10036-8299						
16	BY: ELISE BLOOM, ESQ.						
17	Email: ebloom@proskauer.com						
18	(212) 969-3140						
19	PROSKAUER ROSE, LLP						
20	1001 Pennsylvania Avenue, NW						
21	Suite 400 South						
22	Washington, DC 20004-2533						
23	BY: JOSHUA F. ALLOY, ESQ.						
24	Email: jalloy@proskauer.com						
25	(202) 416-5876						
1	BY: RAVINDER S. SANDHU, ESQ.						
2	Email: rsandhu@proskauer.com						
3	(202) 416-6314						
4	ALSO PRESENT:						
5	Caryn E. Angelon, Esq.						
6	Executive Vice President						
7	Chief Human Resources and Legal Officer						
8	TMNA Services						
9	330 Park Avenue						
10	New York, NY 10169						
11	(212) 297-6949						
12	caryn.angelon@tmnas.com						
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
1	EXHIBITS						
2	(Exhibits attached to transcript)						
3	EXHIBIT	DESCRIPTION	PAGE				
4	Estrada-14	Job description for					
5		Claims examiner position					
6		from company website	168				
7	Estrada-15	Resume submitted with					
8		application for position					
9		at Philadelphia	168				
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
1	INSTRUCTIONS NOT TO ANSWER						
2	PAGE	LINE	PAGE	LINE	PAGE	LINE	
3	24	19	158	13	159	24	
4							
5	160	22					
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							

Capital Reporting Company

<p>1 STIPULATIONS</p> <p>2 IT IS HEREBY STIPULATED, by and between the</p> <p>3 attorneys for the respective parties hereto that:</p> <p>4 All rights provided by the C.P.L.R., and Part</p> <p>5 221 of the Uniform Rules for the Conduct of</p> <p>6 Depositions, including the right to object to any</p> <p>7 question, except as to form, or to move to strike</p> <p>8 any testimony at this examination is reserved; and</p> <p>9 in addition, the failure to object to any question</p> <p>10 or to move to strike any testimony at this</p> <p>11 examination shall not be a bar or a waiver to make</p> <p>12 such motion at, and is reserved to, the trial of</p> <p>13 this action.</p> <p>14 This deposition may be sworn to by the witness</p> <p>15 being examined before a Notary Public other than the</p> <p>16 Notary Public before whom this examination was</p> <p>17 begun, but the failure to do so or to return the</p> <p>18 original of this deposition to counsel within 60</p> <p>19 days, shall not be deemed a waiver of the rights</p> <p>20 provided by Rule 3116 of the C.P.L.R., and shall be</p> <p>21 controlled thereby. The filing of the original of</p> <p>22 this deposition is waived.</p> <p>23 IT IS FURTHER STIPULATED, that a copy of this</p> <p>24 examination shall be furnished to the attorney for</p> <p>25 the witness being examined without charge.</p>	<p>6</p> <p>1 M. ESTRADA</p> <p>2 understood my question, and that you've giving your</p> <p>3 best answer.</p> <p>4 Do you understand everything I've</p> <p>5 said so far?</p> <p>6 A Yes.</p> <p>7 Q Because this -- everything that we say</p> <p>8 here today, my questions and your answers, are being</p> <p>9 taken down by a court reporter, it's important that</p> <p>10 we try not to speak over each other. It is not my</p> <p>11 intent at all today to interfere or interrupt any of</p> <p>12 your answers to questions, and I would ask that you</p> <p>13 let me finish my question before you begin your</p> <p>14 answer.</p> <p>15 If I haven't finished my question,</p> <p>16 I'll advise you of that, and you should feel free to</p> <p>17 do the same if you feel that I've interrupted your</p> <p>18 answer.</p> <p>19 The last thing is that the court</p> <p>20 reporter needs answers to be audible. You can't</p> <p>21 rely on nodding your head or shaking your head.</p> <p>22 A Okay.</p> <p>23 Q So, again, I'm sure your attorneys will</p> <p>24 remind you about that, but I wanted to mention that</p> <p>25 before we got started.</p>
<p>1 M. ESTRADA</p> <p>2 M-I-C-H-A-E-L E-S-T-R-A-D-A, called as a witness,</p> <p>3 having been first duly sworn by a Notary Public of</p> <p>4 the Commonwealth of Pennsylvania}, was examined and</p> <p>5 testified as follows:</p> <p>6</p> <p>7 EXAMINATION BY</p> <p>8 MS. BLOOM:</p> <p>9 Q Good morning, Mr. Estrada.</p> <p>10 A Good morning.</p> <p>11 Q My name is Elise Bloom. We met a few</p> <p>12 minutes ago. I'm an attorney with Proskauer Rose</p> <p>13 and we're representing the defendant in the case</p> <p>14 that you instituted here in federal court.</p> <p>15 I'm going to ask you some questions</p> <p>16 today about the allegations that you've made in your</p> <p>17 lawsuit. If I ask you a question that you don't</p> <p>18 hear, please let know know that and I'll ask the</p> <p>19 court reporter to read the question back.</p> <p>20 If I ask you a question that you</p> <p>21 don't understand, please advise me of that and I</p> <p>22 will attempt to rephrase the question in a way</p> <p>23 that's meaningful to you.</p> <p>24 If you answer a question, I'm going</p> <p>25 to assume that you've heard my question, that you've</p>	<p>7</p> <p>9</p> <p>1 M. ESTRADA</p> <p>2 A Okay.</p> <p>3 Q Okay. Can you state your full name,</p> <p>4 please?</p> <p>5 A Michael Angelo Estrada.</p> <p>6 Q And Mr. Estrada, have you ever been known</p> <p>7 by any names other than Michael Angelo Estrada?</p> <p>8 A Mike Estrada and Miguel Estrada.</p> <p>9 Q What is your -- any other names?</p> <p>10 A No.</p> <p>11 Q What is your address?</p> <p>12 A I'm sorry. I didn't hear you.</p> <p>13 Q Your address?</p> <p>14 A It's 7918 North McArthur Boulevard,</p> <p>15 Apartment 4055, Irving, Texas, 75063.</p> <p>16 Q How long have you lived at that address?</p> <p>17 A Almost a year.</p> <p>18 Q You gave an apartment number. Is it fair</p> <p>19 to assume that that's an apartment?</p> <p>20 A Correct.</p> <p>21 Q And do you own or rent that apartment?</p> <p>22 A Rent.</p> <p>23 Q And do you live there with anybody else?</p> <p>24 A No.</p> <p>25 Q Where did you live immediately prior to</p>

Capital Reporting Company

<p>1 M. ESTRADA 2 you can in the private sectors. 3 Q Did you interview with somebody for the 4 position? 5 A I did. 6 Q Who did you interview with? 7 A Roger Terry and Mona Born. 8 Q And you were offered the job? 9 A Yes. 10 Q And when you were offered the position, 11 did you understand that you'd be paid a salary? 12 A Yes. 13 Q Did you understand that you would not be 14 paid overtime? 15 A Yes. 16 Q What was it about your background and 17 experience that you felt made you a good candidate 18 for the job? 19 A Um, I think my organizational skills, 20 working at MCI, my technical ability. 21 Q What about your technical abilities? 22 A Just extremely proficient with computers 23 and ... 24 Q You filled out an employment application; 25 is that correct?</p>	30	<p>1 M. ESTRADA 2 you did not supply? 3 A Not that I can -- not that I see. 4 Q Okay. And you understood in filling this 5 out that you were supposed to provide truthful 6 information; is that correct? 7 A Correct. 8 Q I notice that one of your references is 9 Tamisha Williams. 10 A Yes. 11 Q So you knew Miss Williams before you 12 started working for Philadelphia? 13 A Yes. We worked together at United Auto 14 insurance. 15 Q What, if anything, was her role in 16 bringing you to Philadelphia? 17 A I brought her into Philadelphia. 18 Q You brought her in? 19 A Yes. 20 Q So when you listed her as a reference, she 21 was still working at United? 22 A Yes. Oh, no. Actually, she may have 23 already been fired by that time. 24 Q She was fired by United? 25 A Uh-huh. Well, she was laid off.</p>	32
<p>1 M. ESTRADA 2 A Correct. 3 Q At what point in the process did you fill 4 out the employment application? 5 A I believe within the first couple of 6 weeks. 7 Q Before you got the job? 8 A Yes. 9 Q So during the interview process? 10 A Yes, correct. 11 MS. BLOOM: Can you mark this, please, as 12 Estrada-1. 13 (Estrada-1, Employment Application, was 14 received and marked for identification at this 15 time.) 16 BY MS. BLOOM: 17 Q I've just handed you a copy of a document 18 that's been marked as Estrada Exhibit Number 1. 19 Could you take a moment to review that and let me 20 know when you've had a chance to review it? 21 A Okay. 22 Q Is this a copy of your employment 23 application? 24 A Yes. That's what it looks like. 25 Q Is there any information on Exhibit 1 that</p>	31	<p>1 M. ESTRADA 2 Q Laid off. 3 A What happened is about whenever we needed 4 to find a claims assistant, her unemployment was 5 about to run out, and that's when I recommended her 6 to Mona, to interview. 7 Q So when you listed her on your employment 8 application, was she still working for United? 9 A I don't know. She may have been. 10 Q Maria Gonzalez, has she ever worked for 11 Philadelphia? 12 A No. 13 Q Claudia Taloson (sic)? 14 A Talosa, no. 15 Q Has not worked for Philadelphia? 16 A No. 17 Q In looking at your employment application, 18 you list United Auto Insurance Company as your 19 employer at the time you were looking for a job at 20 Philadelphia; is that right? 21 A Yes. 22 Q And you were earning an hourly wage there? 23 A Correct. 24 Q Did you get overtime? 25 A Yes.</p>	33

Capital Reporting Company

	34		36
<p>1 M. ESTRADA</p> <p>2 Q So you knew in going to Philadelphia that</p> <p>3 this was going to be a change?</p> <p>4 A Yes.</p> <p>5 Q Under your experience at United, you say,</p> <p>6 "Investigation of third-party auto accidents and</p> <p>7 resolving claims made against the insured's policy,</p> <p>8 negotiate settlement with third parties once</p> <p>9 coverage and liability have been determined."</p> <p>10 That's what you were doing at United</p> <p>11 Auto Insurance Company?</p> <p>12 A Yes.</p> <p>13 Q And what, if anything, about that</p> <p>14 experience did you believe was going to be helpful</p> <p>15 at Philadelphia?</p> <p>16 A Handling the claims, the auto accidents.</p> <p>17 Q Why?</p> <p>18 A Because I had -- because of the experience</p> <p>19 I got in doing that with United Auto.</p> <p>20 Q So the experience negotiating settlements?</p> <p>21 A Yes.</p> <p>22 Q And when you were investigating and</p> <p>23 resolving claims at United Auto Insurance Company,</p> <p>24 how did you go about that process?</p> <p>25 A I'm sorry?</p>		<p>1 M. ESTRADA</p> <p>2 claims.</p> <p>3 Q When you say "Fast Track," what does that</p> <p>4 mean?</p> <p>5 A Simple claims. Easy claims that, you</p> <p>6 know, insured backed into a parked vehicle. Nothing</p> <p>7 that -- that involves a lot of investigation. Who</p> <p>8 ran a red light. Anything like that.</p> <p>9 Q When you got the job at Philadelphia, who</p> <p>10 did you work for; who was your immediate boss?</p> <p>11 A Mona Born.</p> <p>12 Q And were there other claims examiners that</p> <p>13 worked for Mona?</p> <p>14 A Yes.</p> <p>15 Q Who were they?</p> <p>16 A Craig Olleck, Vicky Manning. I think she</p> <p>17 was transitioning from an admin person to an</p> <p>18 adjuster at that time when I started.</p> <p>19 Q Anybody else?</p> <p>20 A Marvel Webb. And I believe Shakelia Hayes</p> <p>21 came shortly after I did.</p> <p>22 Q Did you handle any claims involving rental</p> <p>23 cars?</p> <p>24 A Not that I can recall. Rent a cars being</p> <p>25 damaged?</p>	
<p>1 M. ESTRADA</p> <p>2 Q At United Auto, how did you go about that</p> <p>3 process?</p> <p>4 A I'm sorry. What was the process?</p> <p>5 Q How did you go about the process of</p> <p>6 investigating and resolving claims?</p> <p>7 A Oh. I would contact both parties, the</p> <p>8 claimant and insured, and get their statements on</p> <p>9 how the accident happened; the police report, if</p> <p>10 there is one, and make a liability decision. If</p> <p>11 there's coverage, then we would settle the claim.</p> <p>12 Q And you say "make a liability</p> <p>13 determination," what do you mean?</p> <p>14 A Deciding who's at fault.</p> <p>15 Usually, if there's a police report,</p> <p>16 we usually went by the police report.</p> <p>17 Q And then what would you do?</p> <p>18 A Get an appraiser out there to do an</p> <p>19 estimate on the damages, and pay the claim if</p> <p>20 liability was accepted.</p> <p>21 Q Now, when you applied for the job at</p> <p>22 Philadelphia, what, if anything, did you understand</p> <p>23 you would be doing?</p> <p>24 A Handling minor claims in like parking</p> <p>25 lots, just Fast Track simple claims. Non-injury</p>	35	<p>1 M. ESTRADA</p> <p>2 Q Correct?</p> <p>3 A No, not that I recall.</p> <p>4 Q Was there anybody besides Mona who was</p> <p>5 responsible for supervising claims examiners in the</p> <p>6 Addison office?</p> <p>7 A Yeah. Rodger Terry.</p> <p>8 Q And did he supervise a different group of</p> <p>9 people?</p> <p>10 A Correct.</p> <p>11 Q And did that group have responsibility for</p> <p>12 handling damage to rental cars?</p> <p>13 A Yes.</p> <p>14 Q What state or states were you responsible</p> <p>15 for?</p> <p>16 A There was quite a few of them. I don't</p> <p>17 recall them all. It's been awhile.</p> <p>18 Q Well, can you recall any of them?</p> <p>19 A Yeah. There was Colorado, I believe.</p> <p>20 California, Florida, Washington, New Mexico, I</p> <p>21 think. That's all I can recall right now.</p> <p>22 Q Now, did you understand that when you</p> <p>23 started working for Philadelphia that you would also</p> <p>24 be responsible for investigating claims?</p> <p>25 A Yes.</p>	37

Capital Reporting Company

	58		60
<p>1 M. ESTRADA</p> <p>2 order to do that, there were times when you might</p> <p>3 not be familiar with the law in a particular state</p> <p>4 and you had to go look it up to see who would be --</p> <p>5 who's liable in the situation that you're presented</p> <p>6 with?</p> <p>7 A On rare occasion. I mean, normally it was</p> <p>8 parking lot accidents. Insured backed into a parked</p> <p>9 car.</p> <p>10 Q So normally you knew?</p> <p>11 A Yeah. Yeah. Because it was in Fast</p> <p>12 Track. I mean, it was mostly quick claims that --</p> <p>13 simple accidents.</p> <p>14 Q Okay. But there were times when you</p> <p>15 didn't know; is that right?</p> <p>16 A There were occasions, yeah, that a claim</p> <p>17 would come up. If I wasn't sure, I would usually</p> <p>18 ask my supervisor. She's more knowledgeable and</p> <p>19 more experienced.</p> <p>20 Q But you could ask your supervisor or you</p> <p>21 could consult the driving manual --</p> <p>22 A Yes.</p> <p>23 Q -- for the particular state; correct?</p> <p>24 A Yes.</p> <p>25 Q And that was a decision that you made,</p>		<p>1 M. ESTRADA</p> <p>2 A Correct.</p> <p>3 Q And most times the damage was small?</p> <p>4 A Yes.</p> <p>5 Q Is that right?</p> <p>6 And part of what you had to determine</p> <p>7 is how much the damage was; correct?</p> <p>8 A No. The appraiser would do that.</p> <p>9 Q Well, in every situation, were you</p> <p>10 supposed to get an appraiser?</p> <p>11 A Absolutely.</p> <p>12 Q Even if it was under \$2,000?</p> <p>13 A Absolutely.</p> <p>14 Q And so it's your testimony here today that</p> <p>15 you always got an appraiser?</p> <p>16 A I always got an estimate.</p> <p>17 Q You always got an estimate?</p> <p>18 A Yeah. If it was under a couple of</p> <p>19 thousand, then we were allowed to have the insured</p> <p>20 or the claimant get an estimate from a local body</p> <p>21 shop.</p> <p>22 Q Okay. So the claim comes in. You would</p> <p>23 check to see if there was coverage; correct?</p> <p>24 A Yes.</p> <p>25 Q Okay. And then you would check to see if</p>	
	59		61
<p>1 M. ESTRADA</p> <p>2 right?</p> <p>3 A Yes.</p> <p>4 Q Now, you were talking about the types of</p> <p>5 accidents.</p> <p>6 Most of the accidents that you</p> <p>7 handled were accidents that were worth about how</p> <p>8 much money?</p> <p>9 A A couple thousand; three, four, 5,000.</p> <p>10 Q Small, right?</p> <p>11 A Yes.</p> <p>12 Q Okay. Can you give me a sense of what</p> <p>13 kinds of things you'd be handling?</p> <p>14 A As?</p> <p>15 Q You said a parking lot accident.</p> <p>16 Somebody --</p> <p>17 A Insured backed into a parked vehicle. Um,</p> <p>18 normally we hit a parked car.</p> <p>19 Q So normally either your person hit a</p> <p>20 parked car or somebody hit your insured?</p> <p>21 A Correct.</p> <p>22 Q Or how about if somebody broke into a car?</p> <p>23 A Yes.</p> <p>24 Q So there'd be -- it all centered on damage</p> <p>25 to the car?</p>		<p>1 M. ESTRADA</p> <p>2 there was liability?</p> <p>3 A Yes.</p> <p>4 Q Okay. And then you said that -- would you</p> <p>5 call the insured?</p> <p>6 A Yes.</p> <p>7 Q And why were you calling the insured?</p> <p>8 A To get the statement from the driver on</p> <p>9 what happened. Usually, they say I backed into a</p> <p>10 vehicle. You know, whatever happened in the</p> <p>11 accident.</p> <p>12 Q Did you ever have situations where the</p> <p>13 insured said it wasn't their fault?</p> <p>14 A Yes.</p> <p>15 Q And how often would that happen?</p> <p>16 A On occasion.</p> <p>17 Q And what happened; what were you supposed</p> <p>18 to do then?</p> <p>19 A I'd talk to the claimant and see their</p> <p>20 side of the story. A lot of times there's a police</p> <p>21 report, which we would go by that, the police</p> <p>22 report. Being that it was a commercial insurance, a</p> <p>23 lot of the companies made sure that the drivers</p> <p>24 always got a police report, so that was really</p> <p>25 helpful.</p>	

Capital Reporting Company

<p>1 M. ESTRADA</p> <p>2 Q Okay. So you would talk to your insured;</p> <p>3 if your insured said it wasn't their fault, then you</p> <p>4 might reach out and talk to the other party?</p> <p>5 A Yeah.</p> <p>6 Q And what would you do if there was a</p> <p>7 disagreement between two parties about what</p> <p>8 happened?</p> <p>9 A Conflicting statements and there's no</p> <p>10 independent witnesses, then we would side with our</p> <p>11 insured.</p> <p>12 Q Okay. And you made the decision to side</p> <p>13 with your insured?</p> <p>14 A That's just something we're supposed to</p> <p>15 do.</p> <p>16 Q Well, did you ever have any situations</p> <p>17 where you felt that the person, the non-insured, had</p> <p>18 the more credible story?</p> <p>19 A No. If there's conflicting statements and</p> <p>20 no evidence to confirm that my insured was at fault,</p> <p>21 I would side with my insured.</p> <p>22 Q Now, when you say "no evidence," what kind</p> <p>23 of evidence?</p> <p>24 A Witnesses. If the damages didn't support</p> <p>25 what the insured claimed.</p>	62	<p>1 M. ESTRADA</p> <p>2 A If the police report says this person was</p> <p>3 at fault, which a lot of times it does.</p> <p>4 Q So you would follow the police report?</p> <p>5 A Correct.</p> <p>6 Q So if you have conflicting statements,</p> <p>7 then you would ask whether there was a police</p> <p>8 report?</p> <p>9 A No. I'd ask that regardless.</p> <p>10 Q Okay. So you always ask for the police</p> <p>11 report?</p> <p>12 A If there's a police report.</p> <p>13 Q Okay. You said that you would ask if</p> <p>14 there had been independent witnesses. Who would you</p> <p>15 ask that question of?</p> <p>16 A Both the insured and the claimant.</p> <p>17 Q And what happens if there are independent</p> <p>18 witnesses?</p> <p>19 A I would contact them and see what they</p> <p>20 saw.</p> <p>21 Q Okay. So then you'd talk to the</p> <p>22 independent witnesses?</p> <p>23 A Correct.</p> <p>24 Q So who decides in that situation if the --</p> <p>25 once you talked to the independent witness, what do</p>	64
<p>1 M. ESTRADA</p> <p>2 Q So if you have conflicting statements,</p> <p>3 then you'd have to determine whether or not there's</p> <p>4 other evidence; is that right?</p> <p>5 A Well, hopefully by then, you know, you</p> <p>6 know all the evidence.</p> <p>7 Q But you would -- I assume you have to get</p> <p>8 the evidence or look for the evidence; correct?</p> <p>9 A Yeah. As in evidence, was there any</p> <p>10 witnesses.</p> <p>11 Q Okay.</p> <p>12 A Independent witness.</p> <p>13 Q And how would you find out if there was</p> <p>14 any witnesses?</p> <p>15 A Asking both the driver and the claimant if</p> <p>16 there were any independent witnesses. Was there a</p> <p>17 police report done. If none exists, then I would</p> <p>18 side with my insured, if the statements were</p> <p>19 conflicting.</p> <p>20 Q Okay. Let's go one step at a time then.</p> <p>21 So if there's a police report, what</p> <p>22 would you do?</p> <p>23 A I'd go by the police report.</p> <p>24 Q You say you'd go by the police report.</p> <p>25 What does that mean?</p>	63	<p>1 M. ESTRADA</p> <p>2 you do then?</p> <p>3 A Whichever they corroborate whose story,</p> <p>4 that's who I go with.</p> <p>5 If the witness says the insured</p> <p>6 backed into the claimant's car, then -- and the</p> <p>7 claimant is saying that the insured backed into his</p> <p>8 car, you got two people saying the same thing, then</p> <p>9 that's what you go with.</p> <p>10 Q So you'd make a judgment that if two</p> <p>11 people --</p> <p>12 A Versus the one, correct.</p> <p>13 Q And that in your judgment is you believe</p> <p>14 the two people?</p> <p>15 A Yes.</p> <p>16 Q Okay. Now, you said before that sometimes</p> <p>17 the damage didn't support the determination.</p> <p>18 A Didn't support the --</p> <p>19 Q The story. Okay. Yeah, what do you mean</p> <p>20 by that?</p> <p>21 A Just, I've had people, like -- I had an</p> <p>22 insured that was parked and she said somebody backed</p> <p>23 into her car, but then she's claiming damages to the</p> <p>24 front of the vehicle.</p> <p>25 The other side is like, well, I mean.</p>	65

Capital Reporting Company

	66	68
<p>1 M. ESTRADA 2 you can tell where the car was backed into, but 3 you're claiming these damages. It just -- it 4 doesn't make sense.</p> <p>5 Q So in that situation you made a 6 determination that the insured wasn't telling the 7 truth?</p> <p>8 A Correct.</p> <p>9 Q Okay. And you would deny coverage based 10 on that?</p> <p>11 A No. I wouldn't deny coverage. I wouldn't 12 pay for the damages that didn't support --</p> <p>13 Q Okay. So then you'd have to decide which 14 damages, if any, actually supported the claim?</p> <p>15 A Yeah. And the appraiser would usually 16 tell us, "Well, they're trying to say this damage 17 was also caused in that accident, but I don't 18 believe that it could have been, judging by that." 19 Because they're the ones -- the appraiser's the ones 20 looking at the vehicle, and they can tell, you know, 21 if a vehicle was hit, by their experience, and say, 22 it's not possible to cause that other damage.</p> <p>23 Q So the appraiser comes back and tells you 24 that the damage is in a place that does make sense, 25 in terms of the story, and then you determine, okay,</p>	<p>1 M. ESTRADA 2 Mona? 3 A The estimates amounts; how the accident 4 happened; you know, what I believe to be how the 5 accident happened. I would ask her what she 6 thought.</p> <p>7 Q So you would go to Mona and say, this is 8 what I believe happened, and would you tell her who 9 you thought was at fault and how much and why?</p> <p>10 A Yes.</p> <p>11 Q So you'd make a recommendation to her?</p> <p>12 A Correct.</p> <p>13 Q Okay. And did she always adopt your 14 recommendations?</p> <p>15 A No. No. Not always.</p> <p>16 Q And can you think of any examples, sitting 17 here today, when she didn't accept your 18 recommendation?</p> <p>19 A Um, it's not that she just flat out 20 didn't. She just thought, well, it's not worth it. 21 Just go ahead and pay the whole claim.</p> <p>22 Q And how many times did that happen?</p> <p>23 A I couldn't tell you.</p> <p>24 Q More than five?</p> <p>25 A Yes. I'm sure.</p>	
	67	69
<p>1 M. ESTRADA 2 I'm going to go with what the appraiser says?</p> <p>3 A Correct.</p> <p>4 Q Okay. Have you had situations where the 5 claimant is more credible, tells a story that makes 6 more sense than what your insured is telling you?</p> <p>7 A Not that I recall, no.</p> <p>8 Q Um, usually it's by, you know, police 9 report, if there is one, but if -- the only time I 10 would think that would happen if the damages that 11 the insured's saying just didn't match, if it just 12 didn't make sense like that, then, you know, yeah, I 13 think the claimant probably would be more credible.</p> <p>14 Q And then you'd side with the claimant --</p> <p>15 A Yes.</p> <p>16 Q -- or you'd decide that the claimant was 17 more credible?</p> <p>18 A Yes.</p> <p>19 Q Okay. Now, what if they both had some 20 degree of fault; what did you do then?</p> <p>21 A I would usually ask Mona, see what she 22 thought. See if she wanted comparative negligence 23 on that.</p> <p>24 Q You say you usually ask Mona.</p> <p>25 What information would you bring to</p>	<p>1 M. ESTRADA 2 Q How many claims did you handle that were 3 more than \$10,000?</p> <p>4 A Very few. But there were some, but not a 5 whole lot.</p> <p>6 Q Now, once you talked to your insured the 7 first time, how many other times would you talk to 8 the insured?</p> <p>9 A If I had more questions. It really 10 depends on -- on the -- depends on if there was any 11 other questions, or if the claimants had something, 12 I just wanted to confirm with the insured.</p> <p>13 Q So you might go back to the insured and 14 say, "I spoke to the claimant. They're saying 15 something different," and get the insured's view 16 again?</p> <p>17 A Correct.</p> <p>18 Q Right. And would you ever talk to the 19 insured about what you'd learn from third-party 20 witnesses?</p> <p>21 A Yes.</p> <p>22 Q So part of your job was really to 23 investigate what happened?</p> <p>24 A Yes. Yes.</p> <p>25 Q Are you familiar with the concept of</p>	

Capital Reporting Company

<p>1 M. ESTRADA 2 betterment? 3 A Yeah. Isn't that like when -- take a 4 tire, you know, a tire. We're going to give 5 somebody a brand new tire, but the tire that they 6 had on their vehicle before was older, a lot older, 7 wasn't new. So you would take betterment to be more 8 even as to what they had. 9 Q So you would reduce what you were going to 10 pay them? 11 A Yes. 12 Q And did you? 13 A The appraiser would do that. 14 Q The appraiser would come to you with a 15 recommendation about that? 16 A It would be on their -- their estimate. 17 Q And would you make a determination as to 18 whether to go along with what the appraiser said, or 19 not? 20 A I always go along with what the appraiser 21 says. 22 Q I understand that you're saying that you 23 always went along with it, but each time you decided 24 whether to go along with it or not; correct? 25 MS. COHEN: Objection. Asked and</p>	<p>70</p> <p>1 M. ESTRADA 2 your opinion about some of their claims? 3 A Well, not to -- to make the decision for 4 them. Just to say, "Hey, you know, what do you 5 think about this? I don't know if the insured's 6 telling the truth." You know, just talking. 7 Q So other claims examiners were trying to 8 make a decision about a particular claim and they 9 might come and ask you your opinion? 10 A Yeah. 11 Q And did you do the same thing? 12 A Yeah. 13 Q So if you were trying to make a decision 14 about a particular claim, you might seek out the 15 opinion of one of your claims examiners; is that 16 right? 17 A No. Just talking to them. Just to see 18 what they think, you know. 19 It wasn't to -- because I couldn't 20 make the decision. Just, you know, "Hey, what do 21 you think about this?" 22 Q Because you felt that you could make the 23 decision on any particular claim? 24 A Yeah, usually, yes. 25 Q Were there times when -- you said for some</p>	<p>71</p> <p>1 M. ESTRADA 2 answered. 3 THE WITNESS: I always go with what the 4 estimate is. 5 BY MS. BLOOM: 6 Q So you made a decision to always go -- 7 A I was never told not to. 8 Q Did anybody tell you to always go with the 9 appraiser? 10 A No. 11 Q So that was something that you decided for 12 yourself, because it made sense? 13 A It's something we always did. We were 14 never told otherwise. 15 Q When you say, it's something that you 16 always did, what knowledge, if any, do you have 17 about how other claims examiners handled an 18 appraiser report? 19 A By talking to them. 20 Q Are you -- when you say "by talking to 21 them," what do you mean by that? 22 A We talk to each other about claims that 23 we've had; sometimes to get an opinion from them on 24 what they thought about it. 25 Q So other claims examiners would seek out</p>	<p>72</p> <p>1 M. ESTRADA 2 claims where the damage was like under a couple 3 thousand dollars, where the insured might go out and 4 get their own appraisal; is that right? 5 A Yes. 6 Q Did you get an independent appraisal in 7 those cases, also? 8 A No. 9 Q And did you always agree with what the 10 insured's appraisal said? 11 A Yeah. Pretty much. Unless there was some 12 obvious, um -- you know, if -- if, um, the damages 13 are claimed on the left side and then there's 14 something on the right side that the estimate is 15 willing to repair, then I would call the body shop 16 and ask them, "How does that fit with the impact 17 over here?" 18 Q The impact on the other side? 19 A Correct. 20 Q And then you might decide to pay a lesser 21 amount? 22 A Yeah. 23 Q And you'd make that decision? 24 A No. No. I would usually ask Mona what 25 she thought, because I'm really not that great with</p>
---	---	--	--

Capital Reporting Company

	90	92
<p>1 M. ESTRADA 2 efficient manner.</p> <p>3 MS. BLOOM: Okay. I hear you. I think 4 the rules are really clear. I think if you 5 have a question about what federal stipps are, 6 either you or her, you should read the rules.</p> <p>7 And my position is that under federal 8 stipps, she can only object to the form of the 9 question, if she truly believes there's a 10 problem with the form of the question.</p> <p>11 And so, to the extent anything other than 12 that occurs, you know, clearly, if I think it's 13 becoming intrusive, we'll take whatever action 14 we need to.</p> <p>15 Do you have an objection to us continuing 16 the deposition? And I would also ask that only 17 one attorney speak on the record.</p> <p>18 MR. WILEY: Well, Miss Cohen will continue 19 to defend the deposition. I certainly have no 20 objection to continuing.</p> <p>21 BY MS. BLOOM:</p> <p>22 Q You had the authority -- is there 23 something funny about that?</p> <p>24 A No.</p> <p>25 Q You had the authority to pay claims that</p>	<p>1 M. ESTRADA 2 thought you agreed with what your insured was 3 telling you about how the accident happened; 4 correct?</p> <p>5 A Yes.</p> <p>6 Q One of the things that you were evaluating 7 as a claims examiner in the first instance was 8 whether there was or was not actually coverage; 9 correct?</p> <p>10 A Yes.</p> <p>11 Q And if there was coverage, whether there 12 was liability; correct?</p> <p>13 First you would determine coverage, 14 and then you'd have to determine if there was 15 liability; is that right?</p> <p>16 A Correct. Correct.</p> <p>17 Q And if you determined that there was 18 liability, then you'd have to determine the value of 19 the claim; correct?</p> <p>20 A Right.</p> <p>21 Q And as part of that process, you would 22 interview your insured, right?</p> <p>23 A Yes.</p> <p>24 Q If there was -- if there were witnesses, 25 you would interview witnesses?</p>	
	91	93
<p>1 M. ESTRADA 2 were under \$10,000; is that right?</p> <p>3 A Yes.</p> <p>4 Q And you didn't have to discuss that with 5 your supervisor; correct?</p> <p>6 A Correct.</p> <p>7 Q When you got an appraiser, did you ask for 8 pictures of the property damage?</p> <p>9 A Yeah. They would always send pictures.</p> <p>10 Q Did you look at the pictures?</p> <p>11 A Yes. Sometimes.</p> <p>12 Q And in looking at the pictures, would 13 you -- why would you be looking at the pictures?</p> <p>14 A To see where the damages are. See what 15 damages were caused.</p> <p>16 Q And would you want to see where the damage 17 was?</p> <p>18 A Yes.</p> <p>19 Q And would you want to compare that with 20 what you were being told by your insured?</p> <p>21 A Correct.</p> <p>22 Q Why?</p> <p>23 A Just to make sure that it fit -- fit the 24 statement of what happened.</p> <p>25 Q Okay. So to make sure that -- that you</p>	<p>1 M. ESTRADA 2 A Correct.</p> <p>3 Q And you would also interview a claimant if 4 there was somebody other than your insured involved; 5 correct?</p> <p>6 A Correct.</p> <p>7 MS. COHEN: Objection. Asked and 8 answered.</p> <p>9 BY MS. BLOOM:</p> <p>10 Q And other than Miss Manning, you did not 11 help any of the other claims examiners with their 12 claims; is that right?</p> <p>13 A Correct.</p> <p>14 Q And with regard to the help that you gave 15 Miss Manning, that help was limited to helping her 16 find an independent appraiser; correct?</p> <p>17 A No. No. There was other times where I 18 helped her with other things.</p> <p>19 Q Like what?</p> <p>20 A She, um, her liability. She kind of 21 questioned herself sometimes. And I'd kind of just 22 help her walk through it, how the accident happened, 23 and she figures out that she was right to begin 24 with.</p> <p>25 Q So she was trying to determine whether</p>	

Capital Reporting Company

<p>1 M. ESTRADA</p> <p>2 A Yes.</p> <p>3 Q And in answering Interrogatory Number 6,</p> <p>4 you provided a breakdown of the number of overtime</p> <p>5 hours per-week that you believed you worked. And</p> <p>6 can you just look at that with me, please?</p> <p>7 A Yes.</p> <p>8 Q It's on page 5.</p> <p>9 A I've got it here.</p> <p>10 Q So in Answer to Interrogatory Number 6,</p> <p>11 you said that you worked, approximately, three to</p> <p>12 four hours of overtime per-week in 2009; is that</p> <p>13 right?</p> <p>14 A Correct.</p> <p>15 Q Does that sound accurate to you sitting</p> <p>16 here today?</p> <p>17 A As a best guess.</p> <p>18 Q Do you have any records that would reflect</p> <p>19 that?</p> <p>20 A No. No, no. Not at all.</p> <p>21 Q And then you say that in 2010, you worked</p> <p>22 five to six hours of overtime?</p> <p>23 A Correct.</p> <p>24 Q And do you have any records that would</p> <p>25 reflect that?</p>	<p>102</p> <p>1 M. ESTRADA</p> <p>2 Q Do they ever -- were they ever not -- were</p> <p>3 they ever non-electronic?</p> <p>4 A No.</p> <p>5 Q So did you always have to review those on</p> <p>6 Image Right?</p> <p>7 A No, no. It was a PDF file. I would</p> <p>8 download them to a memory stick and take them home</p> <p>9 to review them, or print them out sometimes.</p> <p>10 Q And what were you doing during the five to</p> <p>11 six hours of overtime you claim you worked per-week</p> <p>12 in 2010?</p> <p>13 A The same thing. Claim volume was higher.</p> <p>14 So there was more work that needed to be done.</p> <p>15 Q And what about in 2011?</p> <p>16 A The same.</p> <p>17 Q And when you say three to four hours a</p> <p>18 week, are you claiming that was every week?</p> <p>19 A No. No. Not every week.</p> <p>20 Q About how many weeks?</p> <p>21 A I honestly couldn't say for sure. More</p> <p>22 than half.</p> <p>23 Q And was it always three to four hours?</p> <p>24 A No. Sometimes it was a little more.</p> <p>25 Sometimes it probably could have been less.</p>	<p>104</p>
<p>1 M. ESTRADA</p> <p>2 A No.</p> <p>3 Q And then you say in 2011, seven to ten</p> <p>4 hours of overtime a week?</p> <p>5 A Correct.</p> <p>6 Q Do you have any records that would reflect</p> <p>7 that?</p> <p>8 A No. I don't.</p> <p>9 Q What were you doing during these three to</p> <p>10 four hours in 2009?</p> <p>11 A Working in claims.</p> <p>12 Q Where?</p> <p>13 A I'm sorry?</p> <p>14 Q Were you working in the office?</p> <p>15 A Some -- some in the office and some</p> <p>16 from -- at home.</p> <p>17 Q What kind of work were you doing at home,</p> <p>18 or do you claim you were doing at home?</p> <p>19 A Reviewing subrogation demands and</p> <p>20 estimates that would come in the day before.</p> <p>21 Because I usually like to get those paid out the</p> <p>22 following morning.</p> <p>23 Q The subrogation demands and estimates,</p> <p>24 were they electronic?</p> <p>25 A Yes.</p>	<p>103</p> <p>1 M. ESTRADA</p> <p>2 Q Did you have vacation?</p> <p>3 A Yes.</p> <p>4 Q And how many weeks vacation did you get a</p> <p>5 year?</p> <p>6 A Two.</p> <p>7 Q And would it be fair to say that you</p> <p>8 didn't work at all on your vacation?</p> <p>9 A Correct.</p> <p>10 Q And did you have any sick time at all?</p> <p>11 A Yes.</p> <p>12 Q How much?</p> <p>13 A I believe a week or two.</p> <p>14 Q Did you take your full sick time allotment</p> <p>15 each year that you were there?</p> <p>16 A I believe so, yes.</p> <p>17 Q And would it be fair to say that you</p> <p>18 didn't work during sick time?</p> <p>19 A Yes. Correct.</p> <p>20 Q Did you take any other time off while you</p> <p>21 were working for Philadelphia?</p> <p>22 A Not that I recall offhand.</p> <p>23 Q Now, when you said in 2010 that you worked</p> <p>24 five to six hours of overtime a week, are you</p> <p>25 claiming every week?</p>	<p>105</p>

Capital Reporting Company

<p>1 M. ESTRADA</p> <p>2 Q And what did you tell Mona?</p> <p>3 A I told her what the appraiser had said on</p> <p>4 his estimate, what the accident description was and</p> <p>5 what happened, how the accident is reported to have</p> <p>6 happened. And she agreed that those damages were</p> <p>7 not related.</p> <p>8 Q So you told her your opinion was that it</p> <p>9 wasn't related and that you should only pay a</p> <p>10 portion of it, and then she agreed with your</p> <p>11 opinion?</p> <p>12 A No. I was telling her the appraiser says</p> <p>13 that those damages were not related to the accident.</p> <p>14 Q And you told her that that's what you told</p> <p>15 the insured?</p> <p>16 A Correct.</p> <p>17 Q I assume that if you didn't agree with</p> <p>18 that, you wouldn't have told the insured that; is</p> <p>19 that right?</p> <p>20 A Right.</p> <p>21 Q Okay. So you thought that what the</p> <p>22 appraiser said made sense in terms of everything</p> <p>23 that you understood about the damage and the</p> <p>24 description of the accident?</p> <p>25 A Correct.</p>	<p>114</p> <p>1 M. ESTRADA</p> <p>2 do you do?</p> <p>3 A I take it to Mona.</p> <p>4 Q What do you say to the insured? Like in</p> <p>5 the example that you gave us, you told the insured</p> <p>6 that you'd only pay what the appraiser said: is that</p> <p>7 right?</p> <p>8 A Right.</p> <p>9 Q Before you told the insured that, did you</p> <p>10 tell Mona?</p> <p>11 A Before I told the insured?</p> <p>12 Q Yeah.</p> <p>13 A No. No. She actually called Mona</p> <p>14 herself.</p> <p>15 Q After you had told her that?</p> <p>16 A Yes. To complain.</p> <p>17 Q So when you say that you don't do</p> <p>18 negotiations, you mean that you accept what the</p> <p>19 appraiser says and you tell the insured that's what</p> <p>20 we're paying?</p> <p>21 A Correct.</p> <p>22 Q And then if the insured says how about</p> <p>23 \$500 more, you'd say no, I'm only going to pay what</p> <p>24 the appraiser says?</p> <p>25 A Um, yes. There are instances that I'll</p>	<p>115</p> <p>1 M. ESTRADA</p> <p>2 Q Okay. And then you told Mona that?</p> <p>3 A Told --</p> <p>4 Q Did Mona back you up?</p> <p>5 A Yeah. Yeah. The insured actually ended</p> <p>6 up filing a suit against us and never showed up.</p> <p>7 Q And what involvement did you have in the</p> <p>8 lawsuit?</p> <p>9 A None.</p> <p>10 Q How many times do insureds file lawsuits</p> <p>11 resulting from claims that you handled?</p> <p>12 A That's the only one that I can recall.</p> <p>13 Q So going back to negotiation, exactly what</p> <p>14 do you mean by the term "negotiation" in paragraph I</p> <p>15 of the complaint?</p> <p>16 A Negotiating damage amounts, what I'm going</p> <p>17 to pay them for their damages.</p> <p>18 I don't decide or make any decisions</p> <p>19 on how much their damages is going to be.</p> <p>20 Q You just rely on the appraiser?</p> <p>21 A Correct. Yeah. Because I don't have</p> <p>22 access to the car. I've never seen it. I'm in the</p> <p>23 Dallas office handling claims in other states.</p> <p>24 Q But if there's a disagreement between what</p> <p>25 the insured said and what the appraiser says, what</p>	<p>117</p> <p>1 M. ESTRADA</p> <p>2 say, well, let me see what my supervisor says and</p> <p>3 I'll ask Mona and usually no, we go by what the</p> <p>4 estimate is.</p> <p>5 Q So you might go back to Mona and say --</p> <p>6 A This insured is not -- is not agreeing</p> <p>7 with the estimate from the appraiser.</p> <p>8 Q And then do you ever end up paying more</p> <p>9 money?</p> <p>10 A No. I've never -- I don't recall ever</p> <p>11 having to pay more.</p> <p>12 Q So then you go back to the insured and</p> <p>13 say, I'm not going to pay more?</p> <p>14 A Correct.</p> <p>15 Q Did you mean anything else by</p> <p>16 "negotiation"?</p> <p>17 A No.</p> <p>18 MR. WILEY: If this is a stopping point,</p> <p>19 perhaps we can have a break?</p> <p>20 MS. BLOOM: Sure.</p> <p>21 MR. WILEY: It's also noon. I don't know</p> <p>22 when you were planning on stopping for lunch.</p> <p>23 MS. BLOOM: I'd actually like to go a</p> <p>24 little -- like we can take a few minutes now,</p> <p>25 and then I'd like to go maybe till one and then</p>
---	--	---	---

Capital Reporting Company

<p>1 M. ESTRADA</p> <p>2 Q Did you have a personal e-mail address?</p> <p>3 A On Yahoo.</p> <p>4 Q And did you ever use that for work?</p> <p>5 A For work. I sent myself stuff from work.</p> <p>6 um, things that I wanted to review. If I needed to.</p> <p>7 I'd send it to myself on that e-mail address so I</p> <p>8 can access it from home.</p> <p>9 Q So you -- you would e-mail from your work</p> <p>10 address to your personal Yahoo address?</p> <p>11 A Yes.</p> <p>12 Q So that -- but that would be reflected in</p> <p>13 your work e-mail?</p> <p>14 A Yes.</p> <p>15 Q Okay. Did you ever e-mail from your</p> <p>16 personal Yahoo address to insureds or appraisers,</p> <p>17 anything like that?</p> <p>18 A No.</p> <p>19 Q You used your work for that?</p> <p>20 A Yes.</p> <p>21 Q Did you e-mail anybody from work from your</p> <p>22 Yahoo account about work-related business?</p> <p>23 A I'm sorry?</p> <p>24 Q Would you -- did you use your Yahoo</p> <p>25 account to conduct any work-related business?</p>	<p>146</p> <p>1 M. ESTRADA</p> <p>2 A No, there isn't. Not that I know of.</p> <p>3 Q Have you, or has anyone on your behalf,</p> <p>4 been in contact with any of the claims examiners</p> <p>5 that you worked with in Addison?</p> <p>6 A Have I?</p> <p>7 Q Or someone on your behalf, like your</p> <p>8 lawyer's been in contact with any of your --</p> <p>9 A I have.</p> <p>10 Q -- co-workers? You have?</p> <p>11 A Personal.</p> <p>12 Q Anything related to the lawsuit?</p> <p>13 A No.</p> <p>14 Q Has anybody expressed an interest to you</p> <p>15 in joining the lawsuit?</p> <p>16 A No. I really don't talk to anybody about</p> <p>17 it.</p> <p>18 Q During the time that you were working for</p> <p>19 the company, did anybody complain to you about their</p> <p>20 hours?</p> <p>21 A Yes.</p> <p>22 Q Who?</p> <p>23 A Almost everybody in my group.</p> <p>24 Q About -- what about the hours?</p> <p>25 A Having to work so much overtime to keep up</p>
<p>147</p> <p>1 M. ESTRADA</p> <p>2 A No.</p> <p>3 Q And you didn't have a Blackberry?</p> <p>4 A No.</p> <p>5 Q Any kind of a smart phone?</p> <p>6 A No.</p> <p>7 Q And you said that -- to the extent you</p> <p>8 took work home, you were taking home subrogation?</p> <p>9 A Subrogation demands and estimates.</p> <p>10 Sometimes just mail if it was piling</p> <p>11 up.</p> <p>12 Q If it was what?</p> <p>13 A Mail that may have been piling up.</p> <p>14 Q You told me the hours of the office where</p> <p>15 you worked.</p> <p>16 Do you know the hours in any of the</p> <p>17 other defendant's offices?</p> <p>18 A No.</p> <p>19 Q Have you, or has anyone on your behalf,</p> <p>20 asked anybody to join this lawsuit with you?</p> <p>21 A No.</p> <p>22 Q Do you know if there is anybody else</p> <p>23 interested in joining this lawsuit?</p> <p>24 A No.</p> <p>25 Q No, you don't know or, no, there isn't?</p>	<p>149</p> <p>1 M. ESTRADA</p> <p>2 with the volume of claims we were receiving.</p> <p>3 Q And that's the overtime hours that you</p> <p>4 previously described for me?</p> <p>5 A Correct.</p> <p>6 Q You have no knowledge about how much time</p> <p>7 anybody else actually spent working other than in</p> <p>8 the office; correct?</p> <p>9 A Correct. They'll tell me about coming in</p> <p>10 on weekends and working late, till 8:00 in the</p> <p>11 evening during the work days, but I never physically</p> <p>12 saw them.</p> <p>13 Q And you never came in the office on a</p> <p>14 weekend, right?</p> <p>15 A Yes.</p> <p>16 Q How many times?</p> <p>17 A A few. I don't know how many exactly.</p> <p>18 Q And do you remember seeing anybody else</p> <p>19 there?</p> <p>20 A Yeah. I've seen Mona there. I've seen</p> <p>21 Shakelia Hayes there.</p> <p>22 Q Anybody else?</p> <p>23 A Not that I recall.</p> <p>24 Q When you would contact an insured to</p> <p>25 investigate a claim, what method would you use to</p>